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NOTES OF CASES.

WILLS—IDENTIFICATION OF BENEFICIARY.—The sufficiency of a gift by will to a person not named in the will but whose identity is determined by a letter from the testatrix, is upheld in *Dennis v. Holsapple* (Ind.), 46 L. R. A. 168.

BURGLARY.—One who obtained grain from a building by boring an auger hole through the side of the building and taking the grain out through the hole, without himself entering the building, is held in *State v. Crawford* (N. D.), 46 L. R. A. 312, to be guilty of burglary.

QUALIFICATION FOR JUDICIAL OFFICE—"LEARNED IN THE LAW."—To make a person "learned in the law" within the meaning of a constitutional provision prescribing such learning as necessary to make one eligible to be judge, it is held, in *Jamieson v. Wiggins* (S. D.), 46 L. R. A. 317, that he must be admitted to practice, or entitled to be admitted, as an attorney at law in the State.

INNKEEPERS—BOARDERS.—Persons staying at a hotel under a contract for a special rate which is given to all who stay longer than a week are held, in *Meacham v. Galloway* (Tenn.), 46 L. R. A. 319, not to be guests for whose property the landlord is an insurer, but to be boarders, for the loss of whose property he is liable only in case of negligence.

STREET RAILWAYS—PAVING ASSESSMENTS.—An assessment on a street railway of the expense of paving the space occupied by the roadbed and tracks and for a distance of two feet from each side, is upheld in *Shreveport v. Prescott* (La.), 46 L. R. A. 193. With this case is an extensive note on the liability of a street railway for paving assessment.

PRACTICE OF MEDICINE—"OSTEOPATHY."—The system of rubbing and kneading the body commonly known as "osteopathy" is held, in *State v. Liffing* (Ohio), 46 L. R. A. 334, not to be an agency, within the meaning of a statute regulating the practice of medicine, which forbids the prescribing of any "drug or medicine or other agency" for the treatment of disease by a person who has not obtained a certificate of qualification.

MASTER AND SERVANT—SERVANT'S RIGHT OF RECOVERY FROM OTHERS THAN MASTER.—An injury to a railroad track inspector by an iron pin thrown off from a tender on a train run by a company other than his employer, while he was standing more than ten feet from the track, is held, in *Cleveland C. C. & St. L. R. Co. v. Berry* (Ind.), 46 L. R. A. 33, to give him no right of action against the owner of the train without showing its negligence. With this case is a note which at great length discusses the right of a servant to recover damages from persons other than his master for injuries received in the performance of his duties.